

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

SONIA ORTIZ,
Plaintiff

v.

**PRIORITY HEALTHCARE
GROUP LLC d/b/a THE GARDENS
AT PALMYRA,
Defendant**

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No. 1:18-cv-01696

(Judge Kane)

ORDER

AND NOW, on this 18th day of July 2019, upon consideration of Defendant Priority Healthcare Group LLC (“Defendant”)’s motion to dismiss Plaintiff Sonia Ortiz (“Plaintiff”)’s complaint (Doc. No. 8) and motion to dismiss Plaintiff’s amended complaint (Doc. No. 12), and in accordance with the Memorandum entered concurrently with this Order, **IT IS ORDERED THAT:**

1. Defendant’s motion to dismiss Plaintiff’s complaint (Docs. No. 8) is **DENIED AS MOOT**;
2. Defendant’s motion to dismiss Plaintiff’s amended complaint (Doc. No. 12) is **GRANTED** as to Count I and **DENIED** as to Count II of Plaintiff’s amended complaint (Doc. No. 10); and
3. Count I of Plaintiff’s amended complaint is **DISMISSED WITHOUT PREJUDICE** to Plaintiff’s filing of a second amended complaint, within thirty (30) days of the date of this Order, that corrects the deficiencies identified in the Memorandum entered concurrently with this Order as to Plaintiff’s claim of wrongful termination and retaliation in violation of the Pennsylvania Whistleblower Law.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania